

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks. The Applicants wish to express their appreciation to Examiner Tran for the courtesy and consideration shown during the In-Person Interview of April 9, 2008. An Interview Summary is being filed in conjunction with this paper.

In this Amendment no claims are amended, claims 44-70 are added, and claims 1-15, 17-22, 27-32 and 34-43 are canceled (claims 15, 23-26 and 33 were previously canceled). As a result, claims 44-70 are now pending in the application. Support for the newly added claims can be found throughout the disclosure, for example, at pages 6-8 of the specification and Figures 3-7.

In the non-final Office Action of January 11, 2008 claims 1-15, 17-22, 27-32 and 34-43 were rejected under 35 U.S.C. §103(a) in view of U.S. Patent 6,288,716 (Humpleman).

§103 Rejection in view of Humpleman

The §103 rejection in view of the Humpleman patent is obviated by the present claim amendments. It is believed the Humpleman patent does not teach or suggest the features of the pending claims for at least the reasons discussed below.

The present invention involves the creation of a user interface for an information application so that a remote device can be controlled from the information appliance. The “thin information appliance” may be a thin appliance such as PDA 402 of Figure 4, or other such

device. Some examples of “remote devices” to be controlled by the thin information appliance are shown in Figure 4 as 404, 406, 408, 410, 412, 414 and 416. The claimed invention is especially advantageous for use in thin information appliances with limited processing and storage capabilities because it avoids the need to download and store an entire user interface into the thin information appliance.

It is respectfully submitted that the Humpleman patent does not teach or suggest the features of the claimed invention mentioned below because Humpleman downloads an entire user interface rather than only sending interface data. Humpleman expressly states that the entire user interface is sent:

[E]ach home device sends its custom GUI [graphical user interface] to the browser based DTV 102.

...

Therefore, because each home device supplies its own GUI through its own HTML files to the browser based DTV 102, the browser based DTV 102 can provide a command and control interface for a home device without having to know any specific details about the particular device.¹

Because Humpleman sends the entire user interface rather than only sending user interface data, the Humpleman patent does not teach or suggest this feature:

- programming a representation (e.g., icon) of the information appliance to control a function of the remote device. For example, claim 44 a step of “determining functions available in the user interface template that correspond to each of the plurality of remote device functions described by the user interface data,” an “assigning” step and “programming each of the assigned plurality of representations ... to respectively control its corresponding one of the plurality of remote device functions.”

The Humpleman patent also does not teach or suggest this feature:

- Sending interface data (not a whole user interface) for programming the thin information appliance. Further regarding the interface data, claim 45 recites “wherein the user interface data describing the plurality of remote device functions does not comprise a whole of the user interface”.

In the event the rejection is maintained, it is respectfully requested that the next official paper from the Office explain how Humpleman can be construed to teach or suggest sending user interface data from the remote device to the thin information appliance for programming a representation (e.g., icon) of the information appliance to control a function of the remote device, wherein the user interface data is data to be used in programming the information appliance but is not itself a whole user interface file (“wherein the user interface data describing the plurality of remote device functions does not comprise a whole of the user interface”). This seems contrary to Humpleman system in which each home device sends its custom GUI to the browser based DTV (“[E]ach home device [of the Humpleman system] **supplies its own GUI** through its own HTML files to the browser based DTV 102”). Humpleman appears to be more closely related to the prior art systems described in the Background of the present application which download entire user interfaces.

¹ Humpleman, col. 7, lines 6-18 (emphasis added).

Deposit Account Authorization / Provisional Time Extension Petition

It is believed that the accompanying Petition for a One-Month Extension of Time and the Fee Transmittal are sufficient for this filing. However, to the extent necessary, a Provisional Petition for an Extension of Time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571)970-6835 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



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